

Serial No. 10/708,839  
Attorney Docket No. 70655.0300

## **REMARKS**

Applicants reply to the Office Action mailed on May 2, 2006, within the sixth month period for reply and Applicants authorize payment of the required extension fee. The Examiner rejects claims 1-21. Applicants amend claims 1, 11, 17, 18 and 21. Support for the amendments may be found in the originally-filed specification, claims, and figures. No new matter has been introduced by these amendments. Applicants assert that the subject matter of the various claims was commonly owned at the time the inventions covered therein were made and therefore, Applicants have complied with 37 C.F.R. § 1.56.

### **35 U.S.C. § 112 REJECTIONS**

Claim 1 has been amended, rendering moot the rejection regarding independent transaction limitations.

Claim 21 has been amended, rendering moot the rejection regarding multiple users.

### **35 U.S.C. § 103 REJECTIONS**

The Examiner rejects claims 1-7, 9-16 and 18-20 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,925,656 ("Black") in view of U.S. Patent Application No. 2005/0232471 ("Baer"). Claims 8, 16, and 17 are rejected as being unpatentable over Black/Baer in view of U.S. Patent Application No. 2005/0098651 ("de Sylva"). Claims 8, 16, and 17 are rejects as being unpatentable over Black/Baer in view of U.S. Patent Application No. 2005/0065872 ("Moebs"). Applicants respectfully traverse these rejections. Applicants' amendments to independent claim 1 renders these rejections moot.

Neither Black, Baer, de Sylva, Moebs, nor any combination thereof, disclose or suggest at least a "method for registering biometric information for use in a transponder-reader system, said method comprising: . . . associating said proffered biometric sample with a preloaded value defined by a preloaded value data file associated with said transponder information; and associating said proffered biometric sample with a reload value defined by a reload protocol data file associated with said transponder information, wherein said preloaded value data file and said reload protocol data file define predetermined values for use in satisfying a user transaction request from at least one of a charge card account, a credit card account, a debit card account, a savings account, a private label account and a loyalty point account and wherein said association

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of said biometric sample with said preloaded value and said reload value facilitates biometric authorization for use of a combination of said preloaded value and said reload value to complete a transaction," as recited in amended claim 1.

Accordingly, Applicants assert that claim 1 is patentable over the cited references. Similarly, claims 2-21 depend from claim 1 and contain all of the elements thereof. Therefore, Applicants assert that claims 2-21 are differentiated from the cited reference at least for the same reasons as set forth above, in addition to their own respective features. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 2-21.

### CONCLUSION

Applicants respectfully submit that the pending claims (21 claims total, 1 independent) are in condition for allowance. Reconsideration of the application is thus requested. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 19-2814. Applicants invite the Examiner to telephone the undersigned if the Examiner has any questions regarding this Reply or the application in general.

Respectfully submitted,

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